Case 2:11-cv-00590-LDG-CWH Document 129 Filed 06/10/13 Page 1 of 15 David S. Kahn Nevada Bar No. 007038 J. Scott Burris

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2 Nevada Bar No. 010529 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP 3 300 South Fourth Street, 11th Floor 4 Las Vegas, NV 89101 (702) 727-1400; FAX (702) 727-1401 5 E-mail:David.Kahn@wilsonelser.com J.Scott.Burris@wilsonelser.com 6 Stephen M. Gaffigan (Admitted *Pro Hac Vice*) 7 STEPHEN M. GAFFIGAN, P.A. 8 401 East Las Olas Blvd., Suite 130-453 Ft. Lauderdale, Florida 33301 Telephone: (954) 767-4819 Facsimile: (954) 767-4821 10 E-mail:stephen@smgpa.net 11 THE UNITED STATES DISTRICT COURT 12 FOR THE DISTRICT OF NEVADA 13 14 TIFFANY (NJ), LLC, Case No. 2:11-cv-00590-LDG-CWH 15 Plaintiff, 16 v. 17 925LY.COM, et al., 18 Defendants. 19 20 21 22 23 24 25 26 27 28 1

FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION AGAINST DEFENDANTS IDENTIFIED ON SCHEDULE A

THIS MATTER having come before the Court upon motion by Plaintiff, Tiffany (NJ), LLC ("Tiffany" or "Plaintiff") for entry of a final default judgment of its claims against the Partnerships and Unincorporated Associations (collectively, the "Defendants") operating under the domain names (the "Subject Domain Names") identified on the attached Schedule A pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and entry of a permanent injunction; and the Court having considered the moving papers and there being no opposition thereto, and upon the following entries of Clerk's Default by the Clerk on September 24, 2012 (e-docket 117) and January 29, 2013 (e-dockets 121 and 122);

IT IS HEREBY ORDERED that Plaintiff's Motion for Entry of Final Default Judgment and Permanent Injunction is GRANTED, and judgment is hereby entered in favor of Plaintiff, Tiffany (NJ), LLC, a Delaware Limited Liability Company, with its principal place of business in the United States located at 15 Sylvan Way, Parsippany, NJ 07054, and against Defendants on all Counts of the First Amended Complaint as follows:

(1) Permanent Injunctive Relief:

The Defendants identified on Schedule A and their officers, agents, servants, employees, and attorneys, and all persons acting in concert and participation with the Defendants identified on Schedule A are hereby permanently restrained and enjoined from:

(a) manufacturing or causing to be manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods using the trademarks identified below:

Trademar	k	Registration Number	Registration Date	Class(es) / Relevant Goods
TIFFANY & C	'n	0,023,573	September 5, 1893	IC 014 - jewelry and watches.

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Tiffany	0,133,063	July 6, 1920	IC 014 - jewelry for personal wear, not including watches.
TIFFANY & CO.	1,228,189	February 22, 1983	IC 014 – jewelry.
TIFFANY	1,228,409	February 22, 1983	IC 014 – jewelry.
TIFFANY & CO.	1,283,306	June 26, 1984	IC 014 - clothing accessories-namely, money clips, cufflinks, key holders, all made of or plated with precious or semi-precious metals.
ATLAS	1,605,467	July 10, 1990	IC 014 - watches and clocks.
T & CO.	1,669,365	December 24, 1991	IC 014 - all types of jewelry made of, or in part of, precious metals and/or with precious or semi-precious stones.
- 	1,785,204	August 3, 1993	IC 014 - jewelry; namely, pins, pierced earrings, ear clips, bracelets, necklaces, and rings.
PERETTI	1,787,861	August 17, 1993	IC 014 - jewelry; namely, earrings, necklaces, pendants, brooches, bracelets and rings made of precious metals; accessories made of precious metals; namely, key rings, and money clips.
ELSA PERETTI	1,799,272	October 19, 1993	IC 014 - jewelry; namely, earrings, necklaces, pendants, brooches, bracelets and rings made of variety of materials including precious metals, accessories made of precious metals; namely, key rings, and money clips.
0	1,804,353	November 16, 1993	IC 014 - jewelry; namely, earrings, necklaces, bracelets, pendants, cufflinks, and rings.
TIFFANY & CO.	1,968,614	April 16, 1996	IC 014 - all types of timepieces, including especially watches.
	2,184,128	August 25, 1998	IC 014 – jewelry and watches; clothing accessories made of precious or semi-precious metals, namely, money clips, cufflinks, and key rings.
	2,359,351	June 20, 2000	IC 021 – boxes. IC 014 - jewelry; watches; clothing accessories made of precious metals and their alloys, namely, money clips, cufflinks, and key rings. IC 021 - decorative boxes.

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TIFFANY	2,639,539	October 22, 2002	IC 014 – watches.
ATLAS	2,886,655	September 21, 2004	IC 014 - jewelry; rings; bracelets; earrings; necklaces; pendants; cufflinks; and precious metal money clips.

(collectively, the "Tiffany Marks");

(b) using the Tiffany Marks in connection with the sale of any unauthorized goods;

- (c) using any logo, and/or layout which may be calculated to falsely advertise the services or products of the Defendants identified on S chedule A hereto as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;
- (d) falsely representing themselves as being connected with Plaintiff, through sponsorship or association;
- (e) engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of the Defendants identified on Schedule A are in any way endorsed by, approved by, and/or associated with Plaintiff;
- (f) using any reproduction, counterfeit, copy, or colorable imitation of the Tiffany Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by the Defendants identified on Schedule A, including, without limitation, jewelry, including bracelets, necklaces, pendants, earrings and rings, cufflinks, money clips, key rings, watches, or gift boxes;
- (g) affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by the Defendants identified on Schedule A as being those of Plaintiff or in any way endorsed by Plaintiff;
- (h) otherwise unfairly competing with Plaintiff;
- (i) effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above; and

Case 2:11-cv-00590-LDG-CWH Document 129 Filed 06/10/13 Page 5 of 15 (j) using the Tiffany Marks, or any confusingly similar trademarks, within 1 domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), any 2 advertising links to other websites, from search engines' databases or cache memory, and any other form of use of such terms which is visible to a 3 computer user or serves to direct computer searches to websites registered by, 4 owned, or operated by the Defendants identified on Schedule A. 5 **(2)** Additional Equitable Relief: 6 In order to give practical effect to the Permanent Injunction, the Subject (a) Domain Names are hereby ordered to be immediately transferred by 7 Defendants, their assignees and/or successors in interest or title, and the 8 Registrars to Plaintiff's control. To the extent the current Registrars do not facilitate the transfer of the domain names to Plaintiff's control within five (5) 9 days of receipt of this judgment, the Registries shall, within thirty (30) days, change the Registrar of Record for the Subject Domain Names to a Registrar 10 of Plaintiff's choosing, and that Registrar shall transfer the Subject Domain Names to Plaintiff: 11 (b) Upon Plaintiff's request, the top level domain (TLD) Registry for each of the 12 Subject Domain Names, within thirty (30) days of receipt of this Order, shall 13 place the Subject Domain Names on Registry Hold status for the life of the current registration, thus removing them from the TLD zone files maintained 14 by the Registries which link the Subject Domain Names to the IP addresses where the associated websites are hosted: and 15 (c) Upon Plaintiff's request, the Internet Corporation for Assigned Names and 16 Numbers ("ICANN") shall ensure that the top level domain Registries 17 responsible for the Subject Domain Names transfer, change the Registrar of Record, and/or disable the Subject Domain Names. 18 The bond posted by Plaintiff in the amount of \$20,000.00 is ordered to be released by (3) 19 the Clerk. 20 21 **(4)** This Case is **CLOSED**, and all pending motions are **DENIED** as **MOOT**. 22 IT IS SO ORDERED. 23 24 / / June 2013 25

FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION

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UNITED STATES DISTRICT JUDGE

SCHEDULE A

THE PARTNERSHIPS and UNINCORPORATED ASSOCIATIONS

Defendant 1:	925ly.com
Defendant 3:	925silvershop.com
Defendant 4:	925tiffany.com
Defendant 5:	925tiffany.net
Defendant 6:	925wholesaler.com
Defendant 7:	aliexpressuk.com
Defendant 9:	atjewelry.com
Defendant 10:	atopsilver.com
Defendant 13:	b2bvogue.com
Defendant 15:	better-tiffany.com
Defendant 15:	fashiontf.com
Defendant 15:	hottiffanyjewelry.com
Defendant 16:	beyeshop.com
Defendant 17:	brandtiffany.com
Defendant 18:	buy-tiffanyjewelry.com
Defendant 18:	newsclothes.com
Defendant 18:	tiffanyjewelrycanada.com
Defendant 19:	bybybuy.com
Defendant 21:	cartiereshop.com
Defendant 22:	casualtiffany.com
Defendant 24:	cheapdesignerwholesale.com
Defendant 26:	cheaptiffanys.com

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Defendant 27:	chinafamousproducts.com
Defendant 28:	chinawholesalejewelry.com
Defendant 30:	coachjewelry.com
Defendant 31:	coboen.com
Defendant 33:	cooltiffany.com
Defendant 34:	crowntco925.com
Defendant 36:	alltiffanyjewelry.com
Defendant 36:	cheapjewelryshops.com
Defendant 36:	usjewelry.net
Defendant 37:	diorgirl.com
Defendant 37:	tiffanyandcostore.com
Defendant 40:	doreplica.com
Defendant 41:	eshopping-replica.com
Defendant 42:	etiffanybag.com
Defendant 45:	goldtiffanyjewelry.com
Defendant 46:	fashionjewelryzone.com
Defendant 47:	fashion-wigs.com
Defendant 47:	tiffanybraceletscheap.com
Defendant 48:	forsaletiffany.com
Defendant 49:	globlefashion.com
Defendant 50:	goecshop.com
Defendant 50:	goecshop.org
Defendant 52:	goolcool.com
Defendant 54:	handbagsforcheap.com
Defendant 56:	hotwholesaleonline.com

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Defendant 56:	jewelrymall1837.com
Defendant 57:	idolbags.com
Defendant 57:	rwholesalejewelry.com
Defendant 58:	ilikejewellery.com
Defendant 58:	tiffany1.org
Defendant 59:	ilovetiffany.net
Defendant 60:	istiffany.com
Defendant 61:	ixreplicajewelry.com
Defendant 62:	jewellery888.com
Defendant 63:	jewellerybi.com
Defendant 64:	jewelleryhotsale.com
Defendant 66:	jewelry-925.com
Defendant 67:	jewelrycheapbuy.com
Defendant 67:	jewelryussale.com
Defendant 68:	jewelrykt.com
Defendant 68:	tiffanyjewelrynet.com
Defendant 68:	wholesalejewelrysale.net
Defendant 69:	jewelryorwatches.com
Defendant 69:	alltiffanyjewelry.com
Defendant 70:	jewelryover.com
Defendant 71:	jewelryrain.com
Defendant 73:	jwely.com
Defendant 74:	tiffanyjewelrynet.com
Defendant 76:	linkworldco.com
Defendant 77:	lipwu.com

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Defendant 78:	lovetiffanyjewelry.com
Defendant 79:	luckyjewelryshop.com
Defendant 80:	luxurysandals2u.com
Defendant 82:	mirrorjewelry.com
Defendant 83:	msmrapparel.com
Defendant 83:	tiffanyjewelrynet.com
Defendant 85:	mytiffanycity.com
Defendant 86:	mytiffanyonline.com
Defendant 86:	myjewelrylife.com
Defendant 86:	cheaptfonline.com
Defendant 87:	mytiffanysjewelry.com
Defendant 88:	mytiffanysonline.com
Defendant 90:	newtiffany.com
Defendant 91:	newtiffanys.com
Defendant 91:	alltiffanyjewelry.com
Defendant 92:	ojewellry.com
Defendant 96:	populartiffany.com
Defendant 97:	pradashoeschina.com
Defendant 97:	pradashoechina.com
Defendant 97:	lookoutclothes.com
Defendant 98:	pursestrade.com
Defendant 98:	pursestrade.net
Defendant 100:	replicasilverjewelry.com
Defendant 102:	replicatiffany.net
Defendant 106:	sheloves925silver.com

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Defendant 107:	shoes51.com
Defendant 108:	silver-bulk.com
Defendant 110:	silverjewelryworld.com
Defendant 116:	super925.com
Defendant 117:	taltoo.com
Defendant 117:	jewever.com
Defendant 118:	tco1837.com
Defendant 119:	tcogift.com
Defendant 120:	thesalesky.com
Defendant 122:	tiffany4girls.com
Defendant 123:	tiffany4u.us
Defendant 124:	tiffany7.com
Defendant 124:	handbagstalent.com
Defendant 125:	tiffanya.com
Defendant 126:	tiffanyamerica.com
Defendant 128:	tiffany-and-co-jewelry.com
Defendant 128:	discount-tiffany-co-jewelry.com
Defendant 128:	tiffany-on-sale.com
Defendant 129:	tiffanyandcooutlet.com
Defendant 130:	tiffanyandco-outlet.com
Defendant 135:	tiffanybraceletscheap.com
Defendant 136:	tiffanybuying.com
Defendant 137:	tiffanyco1837.com
Defendant 138:	tiffanyco-mall.com
Defendant 138:	tiffanyco-mall.net

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Defendant 138:	tiffanyonlinejewelry.com
Defendant 138:	tiffanyscheapjewellery.com
Defendant 139:	tiffanycouk.com
Defendant 142:	tiffany-fashion.com
Defendant 145:	tiffany-guide.com
Defendant 146:	tiffanyhere.com
Defendant 147:	tiffanyhotsale.com
Defendant 148:	tiffanyinfo.com
Defendant 149:	tiffanyinlove.com
Defendant 150:	tiffanyjewelersuk.com
Defendant 153:	tiffanyjewelry1837.com
Defendant 155:	tiffanyjewelry2u.com
Defendant 156:	tiffanyjewelry4sale.com
Defendant 156:	alltiffanys.com
Defendant 156:	buytiffanysonline.com
Defendant 156:	cheapdiscounttiffanystore.com
Defendant 156:	discountswatcheshop.com
Defendant 156:	discounttiffanystore.com
Defendant 156:	jewellery4love.com
Defendant 156:	jewelleryonline-store.com
Defendant 156:	jewelrytiffanysale.com
Defendant 156:	shoptiffanysilver.com
Defendant 156:	shoptiffanysilver.net
Defendant 156:	tffanyjewelry-store.com
Defendant 156:	tiffany1837jewellerys.com

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Defendant 156:	tiffanyandconline.com
Defendant 156:	tiffany-au.org
Defendant 156:	tiffanybrandmall.com
Defendant 156:	tiffany-classic.com
Defendant 156:	tiffanyclassicmall.com
Defendant 156:	tiffanyco-us.org
Defendant 156:	tiffanyesale.com
Defendant 156:	tiffany-jewellery.net
Defendant 156:	tiffanyjewelleryoutlet.com
Defendant 156:	tiffanyjewellerypalace.com
Defendant 156:	tiffanyjewellerypalace.net
Defendant 156:	tiffanyjewellerysales.com
Defendant 156:	tiffany-jewelleryuk.com
Defendant 156:	tiffanyjewellery-uk.net
Defendant 156:	tiffanyjewelrycheap.net
Defendant 156:	tiffany-mall.com
Defendant 156:	tiffanymall-uk.com
Defendant 156:	tiffanyonlinejewellerys.com
Defendant 156:	tiffanyonlinejewelry.net
Defendant 156:	tiffanysaleonline.com
Defendant 156:	tiffany-sales.net
Defendant 156:	tiffany-saleuk.com
Defendant 156:	tiffanys-au.com
Defendant 156:	tiffanyscharms.com
Defendant 156:	tiffanyscheapjewellery.com

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Defendant 156:	tiffanyshopuk.com
Defendant 156:	tiffanysingapore.com
Defendant 156:	tiffanys-jewellery.com
Defendant 156:	tiffanysjewelleryau.com
Defendant 156:	tiffanysjewelleryonline.com
Defendant 156:	tiffanysjewellerypalace.com
Defendant 156:	tiffanysjewellerysale.com
Defendant 156:	tiffanysjewellery-us.com
Defendant 156:	tiffanysjewellery-us.net
Defendant 156:	tiffanystore-jewellery.com
Defendant 156:	tiffanyuk-jewellery.com
Defendant 156:	tiffanyukjewellery.net
Defendant 156:	tiffanyukonlinejewelry.com
Defendant 156:	tiffanyukonlinejewelry.net
Defendant 156:	tiffukjewellery.co.uk
Defendant 156:	tiffukjewellery.com
Defendant 156:	ukjewellerytiffany.com
Defendant 156:	ukjewellerytiffany.net
Defendant 156:	ukonlinejewelry.net
Defendant 156:	ukonlinejewelry.org
Defendant 158:	tiffanyjewelryforsale.com
Defendant 160:	tiffanyjewelrynet.com
Defendant 161:	tiffany-jewelry-on-sale.com
Defendant 163:	tiffanyjewelryoutlet.com
Defendant 164:	tiffanyjewelry-outlet.com

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Defendant 166:	tiffanyjewelrysales.com
Defendant 167:	tiffanyjewelryshops.com
Defendant 167:	tiffanyjewelrynet.com
Defendant 168:	tiffanyjewelrystores.com
Defendant 170:	tiffanyknockoffs.com
Defendant 171:	tiffany-mine.com
Defendant 171:	minesale.com
Defendant 172:	tiffanynew.com
Defendant 173:	tiffanyo.com
Defendant 175:	tiffanyonsale.net
Defendant 175:	ustiffany4sale.com
Defendant 178:	tiffanyoutletcheap.com
Defendant 179:	tiffanyoverstock.com
Defendant 180:	tiffanys1837jewelry.com
Defendant 181:	tiffanysalesstore.com
Defendant 183:	tiffanyselected.com
Defendant 184:	tiffany-seller.com
Defendant 188:	tiffanysjewelryshop.com
Defendant 188:	jewelrysonlineshop.com
Defendant 189:	tiffanysjewelryworld.com
Defendant 189:	myjewelrysworld.com
Defendant 192:	tiffanysonly.com
Defendant 193:	tiffany-sterling-silvers.com
Defendant 193:	bvlgari2.com
Defendant 194:	tiffanystock.com

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Defendant 196:	tiffanysupplier.com
Defendant 197:	tiffanytopsale.com
Defendant 202:	top1tiffany.com
Defendant 202:	tiffanysalesonline.com
Defendant 206:	urbanclothingchina.com
Defendant 209:	utiffany.com
Defendant 209:	vtiffany.com
Defendant 210:	vogueonsale.com
Defendant 211:	watches-trade.com
Defendant 211:	hongwron.com
Defendant 211:	lvvuittonkorea.com
Defendant 212:	wholesale1837.com
Defendant 213:	wholesaleabc.net
Defendant 214:	wholesaleanywhere.com
Defendant 216:	wholesale-tiffany-jewellery.com
Defendant 217:	wholesaletiffanyjewelry.net
Defendant 217:	tiffanyonlineus.com
Defendant 217:	silvertiffanyonline.com
Defendant 218:	whslecn.com
Defendant 220:	wowyahoo.com
Defendant 221:	x-jewelrybox.com
Defendant 222:	yahoowholesaler.com
Defendant 223:	yasajewelry.com
Defendant 223:	tiffanyjewelrynet.com